

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALLIED INDUSTRIAL SUPPLY LLC,  
Plaintiff,

v.

Case No. 1:22-cv-815

CHRISTOPHER STONE,  
Defendant.

HONORABLE PAUL L. MALONEY

/

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Plaintiff initiated this lawsuit by filing its complaint on September 2, 2022 (ECF No. 1). Defendant filed a motion to dismiss pursuant to Rule 12(b) of the Federal Rules of Civil Procedure. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on January 23, 2023, recommending that this Court deny the motion and stay the action. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 10) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for motion to dismiss (ECF No. 6) is DENIED.

**IT IS FURTHER ORDERED** that this action is STAYED pending a decision from the District of New Jersey on the application of the first-to-file-rule. The parties will file a joint status report detailing the status of this matter within 14 days of the decision.

Dated: February 7, 2023

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge